



Approved: *Bridget Donnell Newton*
Attest: *Sara Taylor-Ferrell*
Approved Meeting No. 41-20;
March 1, 2021

Monday, December 14, 2020
MAYOR AND COUNCIL
MEETING NO. 41-20
ROCKVILLE, MARYLAND

THE HONORABLE MAYOR AND COUNCIL PRESIDING

Attendee Name	Title	Status
Bridget Donnell Newton	Mayor	Present
Monique Ashton	Councilmember	Present
Beryl L. Feinberg	Councilmember	Present
David Myles	Councilmember	Present
Mark Pierzchala	Councilmember	Present

1. Convene

The Mayor and Council convened in Open Session at 6:00 p.m. on Monday December 14, 2020 in a virtual meeting by WebEx.

Staff Present: City Manager Rob DiSpirito, Acting City Attorney Cynthia Walters, and City Clerk/Director of Council Operations Sara Taylor-Ferrell.

2. Pledge of Allegiance

Mayor Bridget Donnell Newton led the Pledge of Allegiance.

3. Agenda Review

City Clerk/Director of Council Operations Sara Taylor-Ferrell reported no changes to the Agenda.

4. City Manager's Report

City Manager Rob DiSpirito presented information on events and topics: Montgomery County Public Schools MCPS and the Division of Food and Nutrition Services will be providing New Year's boxed meals to meet the needs of children over the extended winter break. Pre-registration is required for pick-up. Please visit <https://www.montgomeryschoolsmd.org/reopening/meals/> for more information.

The #Artstroll social media campaign kicked off on November 22 through December 20th and features outdoor art in public places. The campaign encourages people to discover Rockville's art in public places by viewing the interactive map on the City's website, then visiting the site of the artwork.

There will be planned COVID-19 public testing this week.

A reminder to check the County HHS Testing Website for the latest information by visiting:

<https://www.montgomerycountymd.gov/covid19/testing.html>

Please consider becoming a volunteer to help shovel snow for an elderly neighbor during the winter season. To sign up for assistance or to volunteer, please visit

www.rockvillemd.gov/snowshoveling.

Finally, employee recognitions, the Horticulture staff have been providing the residents and commuters on Rockville Pike by stringing lights on the 32 evergreens that border the walks of Veteran's Park. Special thanks to our Horticulture staff: Marco Lemus, Walter Pocasangre, Arthur Simpson, Arnelo Cajayon, and Larkland Harris, led by Crew Supervisor Victor Salguero, and Rob Orndorff. The lights in Veterans Park would not work if not for the assistance of the Facilities division, especially Cliff Vann and our contractor EAI.

5. COVID-19 Update

Emergency Manager Dr. Mark Landahl provided an update of the COVID-19 pandemic impact on the City, County and State.

FURTHER DISCUSSION

December 14, 2020 Agenda Item 5.

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4274 video timestamp 09:36

6. Proclamation

A. Proclamation Declaring December 7, 2020 as Pearl Harbor Day

Councilmember David Myles read and presented the proclamation declaring December 7, 2020 as Pearl Harbor Day.

	RESULT: UNANIMOUS
MOVER:	David Myles, Councilmember
SECONDER:	Beryl L. Feinberg, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Feinberg, Councilmember Myles, Councilmember Pierzchala

7. Recognition

A. Good Neighbor Awards

The Mayor and Council presented certificates of recognition to the 2020 Good Neighbor Award recipients which recognize the efforts of Rockville residents who improve the quality of life in their neighborhoods.

The Award recipients are: Pete Altman, George Ashton, Scott Bell, Max Bliss, Nancy Breen, Clare Callaghan, Ed Chaffee, Nick Coutsos, Anna Couvillon, Patrice Davis, Alice Delfert, Clark Delfert, Joe Dixon, Janet Gallant, A. Packet, Jose Guzman, Darren Hall, Rachael Hamm Plett, John Hansman, Brandt Heitzman, Ric Jackson, Christy Koenig, Joe McClane, Mary Mceachern, James Meekin, Gabe Meyer, John Miles, Mike Mills, Carol Moran, William "Bill" Nickel, Caitlin Olson, Kate Ostell, Linda Rosendorf, Patrick Smith, Rachele Stein, Brad Stelzer, Sally Stolz, Robert Tarone, Marissa Valeri, Heather Welter, Dan West, Woodley Gardens Community Swim and Recreation Association.

FURTHER DISCUSSION

December 14, 2020 Agenda Item 7.

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4274 video timestamp 23:53

8. Community Forum

The Mayor and Council received written comments prior to meeting.

Name	Topic
Andrew Sellman	Agenda Item 13 Fire Code/NFPA
Patricia Dubroof	VisArtsAgenda item 10

9. Mayor and Council's Response to Community Forum

The Mayor and Council thanked everyone for participating in Community Forum.

10. VisArts Request for Rent Relief

Councilmember Beryl L. Feinberg moved to approve the rent abatement for VisArts from January 1 – June 30, 2021 in the amount of \$18,357.70.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	Beryl L. Feinberg, Councilmember
SECONDER:	Monique Ashton, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Feinberg, Councilmember Myles, Councilmember Pierzchala

FURTHER DISCUSSION

December 14, 2020 Agenda Item 10.

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4274 video timestamp 55:29

11. FY 2022 Budget Priorities and Survey Results

Deputy Director of Finance Stacey Webster provided an overview of the results from the FY 2022 budget survey distributed to the Mayor and Council.

The Mayor and Council approved the proposed Budget Calendar for FY 2022.

Staff provided direction on the FY 2022 Budget based on the Mayor and Council survey priorities where general consensus was achieved.

The next three items related to the FY 2022 Budget included announcements of a second Budget Public Hearing on January 11, 2021, a public presentation on the proposed rates and rate structure for the water and sewer funds on January 25, 2021, and the presentation of the Proposed FY 2022 Operating Budget and Capital Improvements Program on February 22, 2021.

FURTHER DISCUSSION

December 14, 2020 Agenda Item 11.

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4274 video timestamp 1:09

THE MAYOR AND COUNCIL WENT INTO A BRIEF RECESS AT 8:28 P.M. THE MAYOR AND COUNCIL RECONVENED IN OPEN SESSION AT 8:35 P.M

12. Social Justice, Racism and Bias Follow-Up Discussion

Director of Housing and Community Services Asmara Habte provided an overview of the results from the Racial Equity and Inclusion survey distributed to Rockville employees. The survey was opened for one week and accessible by desk top computers, phones, and text messaging.

On September 21 the Mayor and Council provided Staff with the following instructions:

1. Conduct an employee survey on racial equity and inclusion.
2. Refine the potentially actionable items by combining similar items.
3. Recommend implementing strategies for those potentially actionable items that may be acted on in the short term.

Items #1 and #2 will be addressed in a future Mayor and Council meeting.

The Mayor and Council discussed the action items calendar and survey results and provided staff feedback.

FURTHER DISCUSSION

December 14, 2020 Agenda Item 12.

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4274 video timestamp 2:33:15

13. Introduction and Discussion of Ordinance to Amend Chapter 9 (Fire Code) to Adopt the 2018 Editions of the Fire Code (NFPA 1) and the Life Safety Code (NFPA 101), and All Associated NFPA Codes or Standards Incorporated by Reference and the Latest Editions of Certain Other NFPA Codes Not Incorporated by Reference into NFPA 1 or NFPA 101.

Chief of Inspection Services Rabbiah Sabbakhan and Fire Marshal Carl Young presented an overview of the proposed changes to the City Code Chapter 9 (Fire Code). The proposed changes have no significant financial impact on the building and development community.

Staff recommends that the Mayor and Council introduce the proposed ordinance to amend Chapter 9.

Staff will continue to conduct outreach and discussion with the community and industry representatives, make changes to the Ordinance and bring back to the Mayor and Council for adoption in February 2021.

Councilmember Monique Ashton introduced the Ordinance to Amend Chapter 9 (Fire Code).

FURTHER DISCUSSION

December 14, 2020 Agenda Item 13.

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4274 video timestamp 3:10:41

14. Authorization to File Sectional Map Amendment - to Apply the Zoning Recommended by the Comprehensive Master Plan Amendments for the North Stonestreet Avenue and Park Road and North/South Stonestreet Avenue Areas

Paul Goldstein provided an overview to authorize the filing of a Sectional Map Amendment to apply the zoning recommendations of Comprehensive Master Plan Amendments for the North Stonestreet Avenue and Park Road and North/South Stonestreet Avenue Areas.

The proposed Sectional Map Amendment would implement the land use and zoning recommendations contained in the Plans. This Map Amendment is in conjunction with the associated Zoning Text Amendment (See Stonestreet Avenue Zoning Text Amendment report).

The Planning Commission will review the proposed SMA in public session and provide a recommendation to the Mayor and Council ahead of the public hearing.

The next steps following the filing of the SMA, the staff will conduct public outreach including notifying the individual property owners affected by the proposed amendment ahead of the Planning Commission public session.

Councilmember Mark Pierzchala moved Authorization to File Sectional Map Amendment - to Apply the Zoning Recommended by the Comprehensive Master Plan Amendments for the North Stonestreet Avenue and Park Road and North/South Stonestreet Avenue Areas.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	Mark Pierzchala, Councilmember
SECONDER:	Beryl L. Feinberg, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Feinberg, Councilmember Myles, Councilmember Pierzchala

FURTHER DISCUSSION

December 14, 2020 Agenda Item 14.

http://rockvillemd.granicus.com/MediaPlayer.php?view_id=2&clip_id=4274 video timestamp 3:10:41

15. Authorization to File Zoning Text Amendment to Implement the Zoning Recommendations in the North Stonestreet Avenue and Park Road and North/South Stonestreet Avenue Area Master Plan Amendments

Paul Goldstein provided an overview to authorize the filing of the Text Amendment.

The proposed text amendment makes several changes to the Residential Medium Density (RMD) zones. The amendment revises the permitted land uses and development standards in the RMD-10, -15, and -25 zones. A new RMD zone -- the Residential Medium Density Infill (RMD-Infill) zone -- is introduced to accommodate smaller infill residential development. Accompanying changes are found in the Mixed-use and Industrial zones as well as the Parking and Loading chapter. The amendment also proposes new definitions and use permissions for Artisanal Craft Production and Two Unit Detached Dwellings. This text amendment is associated with the related Zoning Map Amendment (See Stonestreet Avenue Zoning Map Amendment Report).

The Planning Commission will review the proposed text amendment in a public session and provide a recommendation to the Mayor and Council ahead of the public hearing.

Once filed, there will be outreach to the public and a presentation to the Planning Commission in a public session. The Mayor and Council will hold a public hearing once the Commission has made a recommendation.

Councilmember Beryl L. Feinberg moved Authorization to File Zoning Text Amendment to Implement the Zoning Recommendations in the North Stonestreet Avenue and Park Road and North/South Stonestreet Avenue Area Master Plan Amendments.

RESULT: APPROVED [UNANIMOUS]

MOVER:	Beryl L. Feinberg, Councilmember
SECONDER:	Mark Pierzchala, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Feinberg, Councilmember Myles, Councilmember Pierzchala

16. Review and Comment - Mayor and Council Action Report

The Mayor and Council reviewed the Action Report.

17. Review and Comment - Future Agendas

The Mayor and Council reviewed Future Agendas.

18. Old/New Business

Councilmember David Myles requested staff research the viability of including environmental and social governance principals into the Retirement Board's Investment Policy without comprising the Board's fiduciary obligations and that the Retirement Board include the topic of environment and social governance (ESG) investing for discussion at an upcoming meeting.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	David Myles, Councilmember
SECONDER:	Mark Pierzchala, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Feinberg, Councilmember Myles, Councilmember Pierzchala

Councilmember Mark Pierzchala requested staff to come back with recommendations for Mayor and Council to hire outside expertise to help Rockville in its dealings with the state related to the I270 expansion. Outside expertise /counsel would help with the following items:

- If the State takes Rockville's bridges, how is fair value established? What are Rockville's rights in such a situation?
- Should there be negotiations between the State and Rockville, what posture should Rockville take? How do we develop a negotiating strategy?
- Whether Rockville should go to court on certain aspects of the P3. How is this decision made, and what are the advantages and disadvantages?
- Legislative strategy, connecting with County and state officials.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	Mark Pierzchala, Councilmember
SECONDER:	David Myles, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Feinberg, Councilmember Myles, Councilmember Pierzchala

Councilmember Beryl L. Feinberg moved to appoint Sheila Bashiri to serve as the City representative on the County's Remembrance and Reconciliation Commission.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	Beryl L. Feinberg, Councilmember
SECONDER:	David Myles, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Feinberg, Councilmember Myles, Councilmember Pierzchala

19. Adjournment

There being no further business, the meeting adjourned at 11:07 p.m.

	RESULT: APPROVED [UNANIMOUS]
MOVER:	Mark Pierzchala, Councilmember
SECONDER:	Monique Ashton, Councilmember
IN FAVOR:	Mayor Newton, Councilmember Ashton, Councilmember Feinberg, Councilmember Myles, Councilmember Pierzchala